



CRL OP(MD). No.6885 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 08/05/2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

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- 1.Marimuthu
- 2.Natarajan
- 3.Ilayaraja

... Petitioners / Accused Nos.1 to 3

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Vadipatti Police Station,
Madurai District,
(In Crime No.183 of 2006)

... Respondent/Complainant

For Petitioner : Mr.R.Alagumani

For Respondent : Mr.R.Meenakshi Sundaram

Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.183 of 2006 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/accused who apprehend arrest at the hands of the respondent police in S.C.No.347 of 2008 on the file of the V Additional District and Sessions Court, Madurai in Crime No.183 of 2006 on the file of the respondent police for the



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offences punishable under Section 392 of IPC, seek anticipatory bail.

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2. The case of the prosecution is that the petitioners along with the accused persons robbed things from the defacto complainant. Based on the complaint, the respondent police registered FIR in Crime No.183 of 2006. After completion of investigation, the respondent police filed charge sheet before the V Additional District and Sessions Court, Madurai and the same was taken cognizance in S.C.No.347 of 2008. On 03.08.2024, due to non-appearance of the petitioners, Non-Bailable Warrant came to be issued by the V Additional District and Sessions Court, Madurai.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that on 01.08.2024, the second petitioner met with road accident and undergone treatment in the Government Hospital, Madurai and the first petitioner has taken care of the second petitioner at the time of accident. Therefore, they unable to appear before the trial Court on 03.08.2024. As regards the third petitioner, due to his health condition, he could not appear before the trial Court on 03.08.2024.

4. The learned counsel appearing for the petitioners undertakes that the petitioners shall appear before the court below regularly on all future hearing dates



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without fail.

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5. Considering the undertaking given by the learned counsel appearing for the petitioners, the petitioners are directed to appear before the learned V Additional District and Sessions Court, Madurai, on the next date of hearing and to file a petition under Section 72 of BNSS (Section 70(2) Cr.P.C) to recall NBW already issued against them. On filing of such application, the learned V Additional District and Sessions Court, Madurai is directed to consider the same on its own merits and in accordance with law and pass orders on the same day.

6. With the above direction, this Criminal Original Petition is disposed of. It is made clear that while considering the petition to recall, the court below shall bear in mind about the period of Non-Bailable Warrant and any crime committed while pending Non-Bailable Warrant. Mere direction issued by this Court to consider the application on the same day does not amount to consider the recall petition favourably.

sd/-
08/05/2025

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/05/2025

Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

- 1.THE V ADDITIONAL DISTRICT AND SESSIONS COURT, MADURAI.
2. THE INSPECTOR OF POLICE, VADIPATTI POLICE STATION,
MADURAI DISTRICT,
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.ALAGUMANI.R Advocate SR.No.5495 (I) DT.12/05/2025

ORDER IN
CRL OP(MD) No.6885 of 2025
Date :08/05/2025

PR/26.05 .2025 4P/5C

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